

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

EXPRESS SERVICES INC.,

Plaintiff,

v.

ROYAL OAK ENTERPRISES, LLC,

Defendant.

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No. 24-03098-CV-S-DPR

ORDER

Before the Court is Plaintiff's Response (doc. 8) to the Court's order to show cause why the case should not be dismissed for lack of jurisdiction. For diversity purposes, a limited liability company has "the citizenship of *each* of its members." *OnePoint Solutions, LLC v. Borchert*, 486 F.3d 342, 346 (8th Cir. 2007) (emphasis added). Plaintiff, a citizen of Colorado and Oklahoma, now asserts that Defendant Royal Oak Enterprises, LLC is a citizen of New York and Florida, based on a Business Entity Disclosure filed by Defendant in a separate case. The disclosure states that as of February 14, 2022, the "majority" members of Defendant were citizens of either Florida or New York. The Court is concerned that the disclosure also indicates there are unnamed "minority" members of Defendant, whose citizenship is yet to be determined. However, the Court finds a sufficient basis alleged for diversity jurisdiction and the case will not be dismissed at this time. Plaintiff is advised that this determination is subject to review following Defendant's entry and filing of its Rule 7.1(a)(2) disclosure statement.

IT IS SO ORDERED.

/s/ David P. Rush

DAVID P. RUSH

UNITED STATES MAGISTRATE JUDGE

DATE: April 16, 2024